

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dallas L. Clouatre
Title: (-)-HYDROXYCITRIC ACID FOR
CONTROLLING
INFLAMMATION
Appl. No.: 10/612,648
Filing Date: 7/2/2003
Examiner: Zohreh A. Fay
Art Unit: 1612
Confirmation Number: 3676

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated May 17, 2010, finally rejecting Claims 1-2 and 4-6. A Pre-Appeal Brief Request for Review accompanies this Notice of Appeal.

[X] Applicant claims small entity status.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Notice of Appeal Fee

The Notice of Appeal Fee enclosed herewith is reduced based on an earlier appeal. According to MPEP § 1204.01, if an appellant wishes to reinstate an appeal after prosecution is reopened, any previously paid appeal fees set forth in 37 CFR § 41.20 for filing a notice of appeal will be applied to the new appeal on the same application as long as a final Board decision has not been made on the prior appeal. A Notice of Appeal fee of \$255 (for small entity) was paid on January 8, 2008. The current Notice of Appeal Fee under 37 C.F.R. § 41.20(b)(1) is \$270 (for small entity). Accordingly, the difference of \$15 is being paid via Deposit Account charge herewith.

The required fees are calculated below:

<input type="checkbox"/>		Notice of Appeal Fee	\$30.00
<input checked="" type="checkbox"/>	Extension for response filed within the first month:		\$130.00
<input type="checkbox"/>	Extension:		\$0.00
	FEE TOTAL:		\$160.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$80.00
	TOTAL FEE:		\$80.00

Please charge Deposit Account No. 19-0741 in the amount of \$80.00. The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: September 16, 2010

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By /Jason R. Dinges/

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